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7/11/3

PTO/SB/31 (02/01)

Approved for use through 10/31/2002. OMB 0651-0031

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (optional)

06005/35500

In re Application of  
Brent H. Larson, et alApplication Number  
09/408,028Filed  
September 29, 1999For **DOWNLOADABLE CODE IN A DISTRIBUTED PROCESS  
CONTROL SYSTEM**Group Art Unit  
2142Examiner  
Hieu C. LeApplicant hereby **appeals** to the Board of Patent Appeals and Interferences the final rejection of claims 1-6, 9-13, 17-19, 23-27 and 30-33 of the above application as set forth in final Office action mailed December 30, 2002.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half and the resulting fee is:**RECEIVED**☒ A check in the amount of the fee is enclosed.

JUL 03 2003

☐ Payment by credit card. Form PTO-2038 is attached.

Technology Center 2100

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-2855. I have enclosed a duplicate copy of this sheet.☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant /inventor☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b)  
is enclosed. (Form PTO/SB/96)☐ attorney or agent of record.☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 41,605

  
SignatureScott E. Baxendale  
Typed or printed nameJune 26, 2003  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 1 forms are submitted.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 26, 2003

Signature: (Scott E. Baxendale)